



WASTE MANAGEMENT OF HAWAII
92-460 Farrington Highway
Kapolei, Hawaii 96707
(808) 668-2985

September 14, 2010

Mr. Tim Steinberger, Director
Department of Environmental Services
City & County of Honolulu
1000 Uluohia St., Suite 212
Kapolei, HI 96707

RE: Response to ENV Authorization
Lower West Side Drainage Project
Contract No. C-48689
Waimanalo Gulch Sanitary Landfill

Dear Mr. Steinberger:

Waste Management of Hawaii, Inc. (WMH) is in receipt of your September 13, 2010 letter authorizing WMH to proceed with materials procurement and construction of the lower portion of the west side drainage project. Thank you for providing the authorization to proceed with this project.

With respect to the third paragraph in your letter of authorization, WMH believes that the contract between the City and WMH establishes the allocation of responsibility and liability for this kind of work. Accordingly, this third paragraph is unnecessary and may even be inconsistent with the terms of our contract. Unless you indicate otherwise, we will assume that the City intends that the contract shall govern this work.

Additionally, per terms of the contract, WMH will invoice the City monthly for this work, including the 10% mark up and General Excise Tax (GET 4.712%).

Please contact me at 668-2985 if you have any questions.

Sincerely,

Joseph R. Whelan
General Manager
Waste Management of Hawaii

cc: File

WMH001380